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Citizens Project **Freedom Watch** May 2008

ENDA Puts an End to Workplace Discrimination and the Gay and Lesbian Fund for Colorado Helps Employers Achieve Compliance

By Mary Lou Makepeace

In May of 2007, the Employment Nondiscrimination Act (ENDA) was signed into law by Governor Bill Ritter, expanding protection against workplace discrimination for all Coloradans. ENDA increases Colorado's employment nondiscrimination protections to include sexual orientation -- an important step toward ending all discrimination in the workplace.

ENDA makes it unlawful to consider sexual orientation, gender identity, or expression when making employment-related decisions, or to make any inquiry about an applicant's sexual orientation or gender expression. This new law defines sexual orientation as a person's orientation toward heterosexuality, homosexuality, bisexuality, or transgender status.

To date, twenty states and the District of Columbia have policies prohibiting both sexual orientation and gender identity discrimination in employment, and thirteen of those states include transgender protections. In addition, many of the most respected and influential corporations in the United States have made similar commitments to protect their employees from discrimination in the workplace and to ensure equal opportunities for LGBT (Lesbian, Gay, Bisexual and Transgender) employees, vendors, and partners. Companies ranging from Xerox Corp. and Bank of America to Ernst & Young and Eastman Kodak Co. have nondiscrimination policies that include gender identity, include gay/lesbian businesses in supplier-diversity tracking, have active programs to support and recruit LGBT employees, and more.

ENDA officially establishes those same standards for equality and nondiscrimination in Colorado, making this a landmark law in the state's history. The law is applicable to all employers, employment agencies, labor organizations, on-the-job training, vocational training programs, and schools in the state. Companies that comply with ENDA are not only taking an important step toward ensuring a discrimination-free workplace for their employees, but protecting their organization from potential litigation.

"Complying with ENDA is simple and is an important step every organization can take toward advancing equality and ending discrimination in our state," said Mary Lou Makepeace, executive director of the Gay & Lesbian Fund for Colorado.

To help expand the understanding of the law and assist companies in achieving compliance with ENDA before its one-year anniversary, the Gay & Lesbian Fund and their partners and grantees are providing Colorado companies with resources that offer step-by-step guidance. The first key step in achieving compliance is for companies to add the term "sexual orientation" to their nondiscrimination policies so that all employees are aware of the organization's adherence to the law.

There are additional measures organizations can take to protect themselves and their employees.

"All organizations, whether they are nonprofit or private, need to recognize discrimination as a potential liability. They need to have policies and procedures in place, as well as staff training, to avoid any allegations of discrimination," says Pat Steadman, vice president of Mendez, Steadman & Associates, a political consulting firm. Steadman was the primary lobbyist who worked for eleven years to get ENDA passed into Colorado legislation.

The Gay & Lesbian Fund's ENDA materials also offer tips for achieving a discrimination-free workplace for employees. These resources are available for download at www.gayandlesbianfund.ord/enda, and additional information about ENDA is available at www.colorado.gov and www.aclu.org/enda/,

Equal Rights Expanded Further in Colorado

This year the Colorado State Legislature passed SB 08-200 expanding language prohibiting discrimination on the basis of sexual orientation including transgender status in housing practices, public accommodation, eligibility for jury service, availability of family planning services, as well as many other areas.

SB 200, sponsored by Senator Jennifer Veiga and Representative Joel Judd, updates the current laws adding sexual orientation, sex, marital status, disability, age, national origin, ancestry and religion to current antidiscrimination laws covering housing and public accommodation. It also defines sexual orientation to include transgender status, extending protections to people most often denied their basic rights. SB 200 is an important step for equal rights in Colorado.

SB 200 will be effective immediately with Governor Ritter's signature. He has until June 9, 2008 to either sign or veto the legislation.

Upcoming Events:

NAACP's Juneteenth Celebration of Freedom 2008
Saturday, June 21, 2008
10:00AM – 6:00PM
Fountain Park -- Hillside Community Center
925 S. Institute Street
Colorado Springs, Colorado
For more information contact:
barbjune43@yahoo.com

Colorado Springs Pride Fest and Parade
Sunday July 20, 2008
10:00AM – 6:00PM
Downtown Acacia Park
www.ppglcc.org

Everybody Welcome Festival: A Celebration of Culture and Diversity
Saturday, August 23, 2008
Noon – 5:00PM
Downtown Acacia Park
Free family fun event.
www.cospdiversityforum.org

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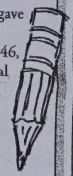
YOUR STORY

Tell your personal story about how Affirmative Action gave you an equal chance and help defeat Amendment 46, which would ban all equal opportunity programs in education, public employment and public contracting in Colorado. Please contact Dave Waterhouse at 719-520-9899 or dh2ouse@yahoo.com.



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